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1652<sup>2</sup>

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IN RE APPLICATION OF:  Lhing-Yew Li, et al.		
Serial No.:  10/067,974		Filing Date:  February 8, 2002
Title:  Polynucleotide Constructs Encoding Aspartate Kinase, Aspartate-Semialdehyde Dehydrogenase, and Dihydrodipicolinate Reductase and Related Constructs, Products, and Methods		
Group Art Unit  1652		Examiner  Kathleen M. Kerr

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Ellie Pingree

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	<b>PATENT APPLICATION</b>
	:	
Lhing-Yew Li, et al.	:	POLYNUCLEOTIDE CONSTRUCTS
	:	ENCODING ASPARTATE KINASE,
	:	ASPARTATE-SEMIALDEHYDE
	:	DEHYDROGENASE, AND
	:	DIHYDRODIPICOLINATE REDUCTASE
	:	AND RELATED CONSTRUCTS, PRODUCTS,
	:	AND METHODS
	:	
Serial No.: 10/067,974	:	Group Art Unit: 1652
	:	
Filed: February 8, 2002	:	Examiner: Kerr, Kathleen M.
	:	
	:	Pittsburgh, Pennsylvania 15219
	:	June 14, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE AND AMENDMENT UNDER 37 CFR 1.114 (SUBMISSION)**

Sir:

This is a submission under 37 CFR § 1.114 and is in response to the Official Action mailed on March 14, 2005 in connection with the above-captioned Application, having a shortened statutory period for response set to expire up to and including June 14, 2005. The Examiner's objections and rejections in the parent case have been carefully considered, and in view of the following remarks and amendments, reconsideration and early allowance of all pending claims is courteously requested.

Applicants gratefully acknowledge Examiner Kathleen Kerr's interview of April 6, 2005. The substance of the discussion is summarized in the Interview Summary made of record in the present case.

Please amend this Application as follows:

**Amendments to the Specification** are reflected in the Amendments to the Specification which begins on page 3 of this paper

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 5 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.

**Conclusion** begins on page 30 of this paper.

**Authorization** begins on page 31 of this paper.

**Appendix A** - begins on page 32 of this paper

Statement pursuant to MPEP § 2404.01.

**Appendix B** - begins on page 36 of this paper.

Renewed Petition for Right of Priority under 35 U.S.C. §119(e),  
35 U.S.C. §120, and 37 C.F.R. 1.78(a)(3) and 1.78(a)(6)